



भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित

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No. 14] NEW DELHI, SATURDAY, APRIL 6, 1968/CHAITRA 17, 1890

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह प्राप्ति संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

नोटिस

NOTICE

नीचे लिखे भारत के अतिथारण राजपत्र 26 मार्च, 1968 तक प्रकाशित फ़िल्में पढ़े:—

The undermentioned Gazettes of India Extraordinary were published up to the 26th March, 1968:—

Issue No.	No. and Date	Issued by	Subject
90	S.O. 1112, dated 18th March, 1968.	Central Board of Direct Taxes.	The Income-tax (Second Amendment) Rules, 1968.
91	S.O. 1113, dated 19th March, 1968.	Ministry of Home Affairs.	Extending upto the 30th June, 1968, the period within which the Commission of Inquiry shall make its report.
92	S.O. 1114, dated 20th March, 1968.	Ministry of Information & Broadcasting.	Approval of the films as specified therein.
92A	S.O. 1114-A, dated 20th March, 1968.	Ministry of Labour, Employment & Rehabilitation.	Rise in Employer's special contribution.
93	S.O. 1115, dated 21st March, 1968.	Election Commission, India.	Bye-election in the Bijapur Parliamentary Constituency in the State of Mysore.
	S.O. 1116, dated 21st March, 1968.	No.	Appointment of dates for the above bye-election (S.O. 1115).

Issue No.	No. and Date	Issued by	Subject
	S.O. 1117, dated 21st March, 1968.	Election Commission, India.	Fixation of hour for the above bye-election (S.O. 1115).
94	S.O. 1118, dated 21st March, 1968.	Ministry of Labour, Employment & Rehabilitation.	Constitution of an Advisory Committee for the Coal Mines Labour Welfare Fund.
95	S.O. 1119, dated 22nd March, 1968.	Ministry of Railways.	Appointment of a Commission of Inquiry.
96	S.O. 1120, dated 22nd March, 1968.	Do.	Direction that all the provisions of sub-section (2), sub-section (3) and sub-section (5) of the Commission of Inquiry Act, 1952 (60 of 1952) shall apply to the Commission of Inquiry appointed by Notification No. E(O)II-68-API/2-Pt. A., dated 22nd March, 1968.
97	S.O. 1121, dated 23rd March, 1968.	Election Commission, India.	Correction in the Delimitation of Parliamentary and Assembly Constituencies Order, 1966.
98	S.O. 1122, dated 23rd March, 1968.	Ministry of Food, Agriculture, Community Development and Cooperation.	Establishment of a Board of Management for the Food Corporation of India for the State of Orissa at Bhubaneswar.
99	S.O. 1123, dated 26th March, 1968.	Do.	Correction in S.O. 96, dated 4th January, 1968.

ऊपर लिखे असाधारण राजपत्रों की प्रतियां प्रकाशन प्रबन्धक, सिविल लाइसेंस, दिल्ली के नाम मांगपत्र भेजने पर भेज दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied or indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(कथा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ भेज प्रशासन को छोड़कर केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विविध प्रावेश और प्रविष्टकानाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION, INDIA

CORRIGENDUM

New Delhi, the 29th March 1968

S.O. 1228.—In the Commission's notification No. 154/10/67, dated the 3rd January, 1968, published in the Gazette of India, Part-II, Section 3, sub-section

(ii), dated the 20th January, 1968, for the words "Additional Secretary to Government, Political and Services Department" the words "Additional Secretary to Government, Finance Department" shall be substituted.

[No. 154/10/67.]

By Order,

K. S. RAJAGOPALAN, Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 27th March 1968

S.O. 1229.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that, subject to his control and until further orders, the powers and functions of the State Government under the Indian Nursing Council Act, 1947 (48 of 1947) and the rules made thereunder shall also be exercised and discharged by the Administrator of every Union territory (whether known as the Administrator, Chief Commissioner or Lieutenant Governor) within his jurisdiction.

[No. F. 2/8/68-UTL.]

P. N. KAUL, Dy. Secy.

New Delhi, the 29th March 1968

S.O. 1230.—In exercise of the powers conferred by section 2 of the Police Act, 1888 (3 of 1888) and in supersession of the notification of the Government of India in the late Home Department No. 174/32-A/41, dated April 18, 1942, the Central Government hereby—

- (a) creates a special police district comprising the lands for the time being occupied by the railway lines situate within the limits of the State of Uttar Pradesh of the Railway Administrations specified in the Schedule hereto annexed including the lands occupied by the railway stations, their out-buildings and lands used for other railway purposes; and
- (b) extends to every part of the said special police district the powers and jurisdiction of all members of the Government Railway Police of Uttar Pradesh.

THE SCHEDULE

Railway administrations.

1. Northern Railway.
2. North Eastern Railway.
3. Central Railway.
4. Eastern Railway.
5. Western Railway.
6. Saharanpur-Shahdara Light Railway.

[No. 40/24/62-P.I.]

P. B. RAJAGOPALAN, Under Secy.

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 22nd March 1968

S.O. 1231.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor General in relation to persons serving in the

Indian Audit and Accounts Department, hereby makes the following rules further to amend the Contributory Provident Fund Rules (India), 1962, namely:—

1. (1) These Rules may be called the Contributory Provident Fund (India) Amendment Rules, 1968.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Contributory Provident Fund Rules (India), 1962:—

(a) in rule 7,—

(i) for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) A subscriber may, at his option not subscribe during leave which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay."

(ii) In sub-rule (3), for the opening paragraph, the following paragraph shall be substituted, namely:—

"The subscriber shall intimate his election not to subscribe during the leave referred to in sub-rule (2), in the following manner:—";

(b) In sub-rule (2) of rule 14 for the words and figures "other than leave on average pay or earned leave of less than one month or 30 days' duration" the following words shall be substituted, namely:—

"which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay".

[No. F. 41(6)-E.V./67-CPF.]

S.O. 1232.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, hereby makes the following rules further to amend the General Provident Fund (Central Services) Rules, 1960, namely:—

1. (1) These rules may be called the General Provident Fund (Central Services) Amendment Rules, 1968.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the General Provident Fund (Central Services) Rules, 1960:—

(a) in rule (7),—

(i) for the first proviso to sub-rule (1) the following proviso shall be substituted, namely:—

"Provided that a subscriber may, at his option, not subscribe during leave which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay";

(ii) In sub-rule (2) for the opening paragraph, the following paragraph shall be substituted, namely:—

"The subscriber shall intimate his election not to subscribe during the leave referred to in the first proviso to sub-rule (1) in the following manner:—";

(b) in sub-rule (2) of rule 13 for the words and figures "other than leave on average pay or earned leave of less than one month or 30 days' duration," the following words shall be substituted, namely:—

"which either does not carry any leave salary or carries leave salary equal to or less than half-pay or half average pay."

[No. F. 41(6)-E.V./67-GPF.]

P. N. MALHOTRA, Under Secy.

(Department of Economic Affairs)

New Delhi, the 28th March 1968

S.O. 1233.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the United Bank of India Ltd., Calcutta in respect of the undernoted property held by it at Kalimpong, District Darjeeling, West Bengal, till the 6th April 1970.

Leasehold plot of land measuring about 1.10 acres—Plot No. 324, Holding No. 476, Khatian No. 4037, Kalimpong Development Area, Part II.

[No. F. 15(9)-BC/68.]

S.O. 1234.—Statement of the Affairs of the Reserve Bank of India as on the 22nd March, 1968

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid Up	5,00,00,000	Notes	41,37,05,000
		Rupee Coin	4,38,000
Reserve Fund	80,00,00,000	Small Coin	3,53,000
National Agricultural Credit (Long Term Operations) Fund	131,00,00,000	Bills Purchased and Discounted--	
		(a) Internal	..
		(b) External	..
		(c) Government Treasury Bills	148,05,99,000
National Agricultural Credit (Stabilisation) Fund	25,00,00,000	Balance Held Abroad*	168,02,12,000
National Industrial Credit (Long Term Operations) Fund	30,00,00,000	Investments**	132,51,46,000
Deposits—		Loans and Advances to :—	
(a) Government—		(i) Central Government	
(i) Central Government	51,24,04,000	(ii) State Governments@	79,76,88,000
		Loans and Advances to :—	
		(i) Scheduled Commercial Banks†	128,14,94,000
		(ii) State Co-operative Banks††	184,74,08,000
		(iii) Others	2,34,90,000

Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund —

(i) State Governments	32,26,15,000	(a) Loans and Advances to : —	
		(i) State Governments	27,22,77,000
		(ii) State Co-operative Banks	12,59,66,000
		(iii) Central Land Mortgage Banks
(b) Banks—		(b) Investment in Central Land Mortgage Bank Debentures	7,93 62,000
(i) Scheduled Commercial Banks	142,27,61,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund —	
(ii) Scheduled State Co-operative Banks	5,30,47,000	Loans and Advances to State Co-operative Banks	7,64,23,000
(iii) Non-Scheduled State Co-operative Banks	77,82,000		
(iv) Other Banks	6,13,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund —	
(v) Others	362,52,72,000	(a) Loans and Advances to the Development Bank	5,97,38,000
Bills Payable	35,68,41,000	(b) Investment in bonds/debentures issued by the Development Bank
Other Liabilities	104,30,26,000	Other Assets	59,00,62,000
	1005,43,61,000		1005,43,61,000
	Rupees		Rupees

*Includes Cash and Short-term Securities.

**Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 101,98,59,000 advanced to scheduled commercial banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

‡Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund

††As on the 27th day of March, 1968.

An Account pursuant to the Reserve Bank of India Act, 1934 for the week ended the 22nd day of March, 1968
 ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department		41,37,05,000	Gold Coin and Bullion :-		
Notes in Circulation	• •	<u>3198,77,81,000</u>	(a) Held in India	115,89,25,000	
Total Notes issued	•	3240,14,86,000	(b) Held outside India	
TOTAL LIABILITIES		3240,14,86,000	Foreign Securities	166,42,00,000	
			TOTAL	282,31,25,000	
			Rupee Coin	77,56,17,000	
			Government of India Rupee Securities	2880,27,44,000	
			Internal Bills of Exchange and other commercial paper	..	
			TOTAL ASSETS	3240,14,86,000	

Dated the 27th day of March, 1968.

L. K. JHA,
 Governor.

[No. F. 3(3)-BC/68.]
 V. SWAMINATHAN, Under Secy.

(Department of Economic Affairs)

New Delhi, the 29th March 1968

S.O. 1235.—In exercise of the powers conferred by section 6 of the Indian Coinage Act, 1905 (3 of 1905), the Central Government hereby determines that the coins of the following denominations shall also be coined at the Mint for issue under the authority of the Central Government and that such coins shall conform to the following dimension, design and composition, namely :—

Denomination of the coin	Metal composition	Shape and outside diameter	No. of serrations
20 paise	Aluminium Bronze (Ninety-two per cent copper, six per cent aluminium and two per cent nickel)	Circular ; 22 millimetres	114
10 paise	Do.	(8) Scalloped ; 23 millimetres across scallops.	

Designs :

20 paise — Obverse : This face of the coin shall bear the Lion Capital of the Asoka Pillar with the words "भारत" in Hindi and "India" in English inscribed thereon.

Reverse : This face of the coin shall bear the year of coinage and the value of the coin in international numerals and the words "पैसे" in Hindi and "Paise" in English inscribed thereon. In addition, the lotus flower shall also be depicted in the centre.

10 paise — Obverse : This face of the coin shall bear the Lion Capital of the Asoka Pillar with the words "भारत" in Hindi and "India" in English inscribed thereon.

Reverse : This face of the coin shall bear the year of coinage and the value of the coin in International numerals with the words "दस पैसे" below the number. In addition to the value, the number of such coins required to make up one rupee shall also be indicated as shown below :—

रुपये का दसवां भाग

3. This notification shall come into force on the 10th day of April, 1968.

[No. F. 1/31/66-Coin(I).]

S.O. 1236.—In exercise of the powers conferred by sub-section (1) of section 21 read with section 17 of the Indian Coinage Act, 1905 (3 of 1905), the Central Government hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Indian Coinage Rules, 1968.

(2) They shall come into force on the 10th day of April, 1968.

2. Standard weight and remedy allowed.—The standard weight of the following coins coined under the provisions of section 6 of the said Act, and the remedy allowed if the weight of such coins shall be as specified below :—

Denomination	Weight	Remedy allowed
20 paise	4·5 grammes	± 1/40th in weight Plus or Minus
10 paise	4·25 grammes	Do.

[No. F.I/31/66 Coin (ii).]

M. S. NANJUNDIAH, Director.

(Department of Revenue and Insurance)

(INCOME-TAX)

New Delhi, the 29th March 1968

S.O. 1237.—In pursuance of sub-clause (ii) of clause (a) of sub-section (1) of section 138 of the Income-tax Act, 1961, (43 of 1961), the Central Government hereby specifies the Registrar of Companies for the purposes of that sub-clause.

[No. 15/F. No. 31/1/68-IT(AI).]

J. C. KALRA, Dy. Secy.

MINISTRY OF COMMERCE

New Delhi, the 29th February 1968

S.O. 1238.—In exercise of the powers conferred by sub-section (b) of Section 2 of the Foreign Awards (Recognition and Enforcement) Act, 1961, (45 of 1961) the Central Government hereby declares Poland to be a territory to which the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, set forth in the Schedule to that Act, applies.

[No. F. 31/21/67-BOT.]

U. L. PARAMBI, Dy. Director.

(Office of the Jt. Chief Controller of Imports and Exports,

ORDER

Calcutta, the 7th February 1968

S.O. 1239.—A licence No. P/AU/1275621, dated 30th March, 1967 of the value of Rs. 53581/- for import of Felt Discs for 1080000 pieces was issued to M/s. Shalimar Industries Pvt. Ltd., 25, Ganesh Chandra Avenue, Calcutta subject to the conditions as under:—

(a) This licence is issued subject to the condition that all items of goods imported under it, shall be used only in the licence holders' factory at the address shown in the Essentiality Certificate issued by the recommending authority against which the licence is issued and no portion thereof will be utilised by the licensee for a unit purpose other than the one for which the licence in question is issued or will be sold or be permitted to be utilised by any other party.

2. Thereafter, a show cause notice No. 156/67/E&L, dated 9th November 1967 was issued asking them to show cause by 15 days as to why the said licence in their favour should not be cancelled on the ground that the licence in question was issued inadvertently in terms of Clause 9, sub-clause (a).

3. In response to the aforesaid show cause Notice M/s. Shalimar Industries Pvt. Ltd., 25, Ganesh Chandra Avenue, Calcutta had, by their letter dated 14th November, 1967 furnished a detailed explanation and had also asked for personal hearing with the undersigned which was allowed to them but the representative did not turn up. In their said reply the firm contended that the indigenous product of Felt Discs are not at all suitable for use in the Bobbin Carriers of Jute Mills.

4. The undersigned has carefully examined the said representation and has come to the conclusion that the licence in question was issued inadvertently.

5. Having regard to what has been stated in the preceding paragraph, the undersigned is satisfied that the licence in question should be cancelled or otherwise rendered ineffective. Therefore, the undersigned, in exercise of the powers vested in him under Clause 9 sub-clause (a) of the Imports (Control) Order, 1955 hereby cancel the licence No. P/AU/127562 dated 30th March, 1967 for Rs. 53581/- issued in favour of M/s. Shalimar Industries Pvt. Ltd., 25, Ganesh Chandra Avenue, Calcutta.

[No. 156/67/E&L.]

J. MUKHERJI,

Dy. Chief Controller of Imports & Exports.

(Office of the Chief Controller of Imports and Exports)

ORDERS

New Delhi, the 22nd March 1968

S.O. 1240.—M/s. Bahujana Telugu Weekly, Sevasadan, Chintalbasti, Khairatabad, Hyderabad, were granted an import licence No. P/AU/1286385/C/XX/26/C/H/25-26 dated 16th November 1967 for Rs. 8192/- (Rupees Eight thousand one hundred and ninety two only). They have applied for the issue of a duplicate Customs Purposes/Exchange Control Purposes copy of the said licence on the ground that the original Customs Purposes/Exchange Control copy has been lost/misplaced. It is further stated that the original Customs Purpose/Exchange Control Copy was registered with the Customs authorities at Bank Ltd., unutilised. It was utilised for Rs. and the balance available on it was Rs.

2. In support of this contention, the applicant has filed an affidavit..... I am accordingly satisfied that the original Customs Purposes/Exchange Control Purposes copy of the said licence has been lost. Therefore, In exercise of the powers conferred under sub-clause 9(cc) of the Imports (Control) Order 1955 dated 7th December 1955 as amended, the said original Customs Purposes/Exchange Control Purposes copy of Licence No. P/AU/1286385/C/XX/26/C/H/25-26 dated 16th November 1967 issued to M/s. Bahujana Telugu Weekly, Hyderabad, is hereby cancelled.

3. A duplicate Customs Purposes/Exchange Control Purposes copy of the said licence is being issued separately to the licensee.

[No. 44-V/B-33/67-68/NPCIB.]

New Delhi, the 26th March 1968

S.O. 1241.—In exercise of the powers conferred by clause of the Imports (Control) Order, 1955, dated 7th December, 1955, as amended from time to time, the undersigned hereby cancels the Import Licence No. G/DG/2104584/T/DL/22/C/H21-22 dated 15th November, 1965 for Rs. 12,690/- (both copies un-utilised) for the import of "Signal Generators" falling under S. No. 78(VIII)/V of the I.T.C. Schedule issued in favour of M/s. The Scientific Instrument Co. Ltd., New Delhi.

The reason for cancellation of this licence is that the party failed to supply the stores against D.G.S.&D's Acceptance of Tender No. SE-4/6a to 22a/III/3295 dated 19th April 1965 within the stipulated delivery period and the subject contract was cancelled by D.G.S.&D. New Delhi.

[No. 83-S/Cont/65-66/GLS/1095.]

S. A. SESHAN,

Dy. Chief Controller of Imports & Exports.

(Office of the Chief Controller of Imports and Exports)

ORDERS

New Delhi, the 25th March 1968

S.O. 1242.—M/s. The Gospel Literature Service Press, Udyog Bhavan, 250-D Worli Bombay 18, were granted an import licence No P/NA/AD/2013481/C/XX/23/C/H/21-22/NQQ dated 7th July, 1966 for Rs. 16,897/- under N.D.R. Scheme for the import of 'Component parts as defined in import Tariff item No. 72(3) of Machinery specified in clause (1) above excluding those covered by S. No. 68 of part V of this Schedule (other than restricted or banned types)'. They have now applied to this office for the issue of a duplicate Exchange Control purposes copy of the said licence on the grounds that the original Exchange Control Purposes copy of the licence has been misplaced or lost. It is further stated that the original Exchange Control purposes copy was registered with the National and Grindlays Bank Ltd, Bombay and the Bank of India Ltd, Bombay. Letters of Credit for the full value of the licence have been opened, the remittance has been made and the goods cleared. The Duplicate Exchange Control Purposes copy now required by the firm is for the full value viz. Rs. 16,897/- for the bankers to make necessary endorsement on the licence and to complete the formalities with Reserve Bank of India for the remittance which has already been made.

2. In support of this contention the licensee has filed an affidavit and certificates from the Bankers concerned. I am accordingly satisfied that the original Exchange Control Purposes copy of the licence in question has been lost. Therefore, in exercise of the powers conferred under sub-Clause 9(CC) of the Imports (Control) Order, 1955, dated 7th December 1955 (as amended) the original Exchange Control Purposes copy of the licence No. P/NA/AD/2013481/C dated 7th July 1966 issued to M/s. The Gospel Literature Service Press, Udyog Bhavan 250-D Worli, Bombay 18, is hereby cancelled.

3. Duplicate Exchange Control purposes copy of the said licence is being issued separately to the licensee.

M/s. The Gospel Literature Service Press, Udyog Bhavan, 250-D Worli, Bombay-18.

[No. NDRS/G-102/65-66/4205.]

New Delhi, the 27th March 1968

S.O. 1243.—M/s. Bharat Industries, 106/167, Gandhi Nagar, Kanpur (UP) were granted an import licence No. P/NA/AU/1267224/C/XX/25/C/H/21-22/NQQ dated 25th April, 1967, for Rs. 25,122 (Rupees Twenty Five Thousand One Hundred Twenty Two only.) for the import of 'All Plates and Sheets (Cut or in coils)—Part I Steel item under the National Defence Remittance Scheme. They have now applied to this office for the issue of duplicate Customs as well as Exchange Control purposes copies of the said licence on the grounds that both the Original copies of the licence have been lost. It is further stated that the licence has not yet been registered with any Customs Authorities and utilised at all. The duplicate Customs as well as the Exchange Control purposes copies of the licence now required by the firm is for the full value of the licence i.e., for Rs. 25,122.

In support of the contention, the licensee has filed on affidavit. I am accordingly satisfied that the original Customs as well Exchange Control purposes copies of the said licence have been lost. Therefore, in exercise of the powers conferred under sub-clause 9(CC) of the Imports (Control) Order, 1955 dated 7th December, 1955 (as amended) the Original Customs as well as the Exchange Control purposes copies of the licence No. P/NA/AU/1267224/C/XX/25/C/H/21-22/NQQ dated 25th April, 1967, issued to M/s. Bharat Industries, 106/107, Gandhi Nagar, Kanpur, (U.P.) are hereby cancelled.

Duplicate of both the copies of the licence in question are being issued separately to the licences.

M/s. Bharat Industries,
106/167, Gandhi Nagar,
Kanpur. (U.P.).

[No. NDRS/B-730/65-66/4214.]

S.O. 1244.—M/s. Dr. Writer's Chocolates and Canning Co., Bhavanishankar Road, Dadar Bombay-28 were granted an import licence No. P/NA/AU/1266856/C/XX/25/C/H/21-22/NQQ dated 22nd April, 1967, for Rs. 16,972 under N.D.R. Scheme for the import of 16 All Category items as per list attached thereto. They have now applied to this office for the issue of a duplicate Exchange Control purposes copy of the said licence on the grounds that the original Exchange Control purposes copy of the said licence has been misplaced or lost. It is further stated that the original Exchange Control purposes of the copy has not been registered with any Bank and no letter of Credit has been opened against the same. The said licence has not been utilised at all. The Duplicate Exchange control purposes copy now required is to cover the full value of the licence i.e. for Rs. 16972.

2. In support of this contention, the licensee has filed an affidavit. I am accordingly satisfied that the original Exchange Control purposes copy of the licence in question has been lost. Therefore in exercise of the powers conferred under sub-clause 9(CC) of the Imports (Control) Order, 1955, dated 7th December, 1955, '(as amended) the original Exchange Control purposes copy of the licence No. P/NA/AU/1266856/C dated 22nd April, 1967 issued to M/s. Dr. Writer's Chocolates and Canning Co., Bhavanishankar Road, Dadar, Bombay 28, is hereby cancelled.

3. Duplicate Exchange control purposes copy of the licence is being issued separately to the licensee.

M/s. Dr. Writer's Chocolates and Canning Co.
Bhavanishankar Road, Dadar, Bombay.

[No. NDRS/W-49/65-66/4220.]

S. K. GREWAL,

Dy. Chief Controller of Imports and Exports.

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 21st March 1968

S.O. 1245.—It has been reported by M/s. Bachoo Taparia Tools Ltd. 20 Old Custom House, 'IA' Fort Bombay-1, that Customs Copy of Import Licence No. F/RM/21591/68/R/24/C/H/23-24, dated 20th April, 1967 granted to them for a value of Rs. 3,00,000 has been lost/misplaced by them without having been registered with Customs/utilised at all. They have applied for a duplicate of the said licence.

2. In support of this contention, M/s. Bachoo Taparia Tools Ltd., Bombay, have produced on affidavit. The undersigned is satisfied that the Original Custom Copy of Licence No. P/RM/2159168/R/IA/24/C/H/23-24 has been lost or misplaced and direct that a duplicate licence for Customs Purposes should be issued to them. The original licence is cancelled.

[No. Tools/441/66-67/RM. V/4052.]

P. C. VERMA,

Dy. Chief Controller,
for Chief Controller of Imports & Exports.

(Office of the Chief Controller of Imports and Exports)

ORDERS

New Delhi, the 26th March 1968

S.O. 1246.—M/s. Khandelwal Glass Works, Sasni, were granted an import licence No. P/RM/2155744/C dated 28th December 1966 for Rs. 10,000/- (Rupees ten thousand only). They have applied for the issue of duplicate copies both for Customs and Exchange Control purposes of the said licence on the ground that the original copies of the licence have been lost. It is further stated that both the original copies were not registered with the Customs authorities at Calcutta or with any Bank. The licence remains unutilised totally.

In support of this contention, the applicant have filed an affidavit. I am accordingly satisfied that the original Customs and Exchange Control purposes copies of the said licence have been lost. Therefore, in exercise of the powers conferred under sub-clause 9(CC) of the Import (Control) Order 1955 dated 7th December 1955 as amended the said licence No. P/RM/2155744/C dated 28th December 1966 issued to M/s. Khandelwal Glass Works (Sasni) is hereby cancelled.

Duplicate copies for Customs and Exchange Control purposes the said licence have been issued separately to the licensee.

[No. Glass 1-2(53)/AM 67/RM 3/4491.]

P. C. VERMA,
Dy. Chief Controller of Imports and Exports.

MINISTRY OF STEEL, MINES & METALS

(Department of Mines and Metals)

CORRIGENDUM

New Delhi, the 30th March 1968

S.O. 1247.—In the notification of the Government of India in the Ministry of Steel, Mines and Metals (Department of Mines and Metals), S.O. No. 243 dated 11th January 1968 published in Part II Section 3 sub-section (ii) of the Gazette of India dated 20th January 1968 at pages 202 and 203,

(i) at page 202

in line 43 for "(shaving lands acquired) 2"
read (showing lands acquired)"

(ii) at page 203

in line 14, for "Meets at point I" read "Meets at point F".

[No. C2-22(21)/63.]

M. S. K. RAMASWAMI, Dy. Secy.

MINISTRY OF INDUSTRIAL DEVELOPMENT & COMPANY AFFAIRS

(Department of Industrial Development)

ORDER

New Delhi, the 28th March 1968

S.O. 1248.—Whereas the Central Government was of the opinion that in respect of the scheduled industry engaged in the manufacture and production of motor cars in India, there has been a marked deterioration in the quality of motor cars manufactured and produced in the said industry, which could have been avoided;

And whereas the Central Government had, by its order dated 11th July, 1967, made in exercise of the powers conferred by section 15 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), appointed a body of persons, known as Motor Car Quality Enquiry Committee, for the purpose of a full and complete investigation into the circumstances of the case and a report has now been received from the said Committee and examined by the Government;

And whereas after the said investigation, the Central Government is satisfied that action under section 16 of the Act is desirable in respect of the industry aforesaid;

Now, therefore, in exercise of the powers conferred by section 16 of the said Act, the Central Government hereby issues the following directions specified in column (2) of the Table below to the Industries specified against each of them in column (3) thereof, namely:—

TABLE

Sl. No.	Directions	Industries in respect of which the directions would apply
1	2	3
1	(a) Specifications and Standards for raw materials, components, and test procedures, evolved by the Indian Standards Institution shall be followed.	Car Industry.
	(b) Raw materials and components covered by I.S.I. certification mark only shall be purchased.	Do.

		Car Industry
2	(a) Every plant shall have adequate testing facilities for raw materials and components. For any assistance needed for the import of testing equipment etc. required for providing adequate testing facilities for raw materials and components, the Government shall be approached within a period of six months.	
	(b) The test rigs for testing of performance requirements of components and for evaluating the life of the bought out components already available and the additions proposed to be made either individually or jointly shall be indicated within a period of six months.	Do.
3	The layout of some of the Departments of the plants shall be revised whenever an opportunity arises to enable smooth flow of materials and components and to avoid duplicate handling, and compliance reported to the Government.	Do.
4	A Research and Development Section shall be established at each of the plants for redesigning components, developing new designs and analysing defects with a view to taking corrective measures, and compliance reported to the Government.	Do.
5	Details and specific requirements of standards shall be furnished to the ancillary producers in addition to making available to them the testing facilities at the plants.	Do.
6	Discussions shall be held with the Association of ancillary manufacturers and the Development Commissioner, S.S.I. to evolve uniform purchase and payment policies and standard contractual agreements on a long term basis within a period of six months.	Do.
7	A detailed code of inspection and testing shall be laid down in consultation with the suppliers of raw materials and the code shall be strictly adhered to thereafter.	Do.
8	A thorough pre-delivery inspection procedure shall be evolved for the dealers and the said procedure shall be introduced within six months.	Do.
9	No car with deficient supplies of parts shall be sold to the dealers. The accessories and tools to be supplied with each car shall also be specified.	Do.
10	The Warranty with which cars are sold shall be uniformly valid for a period of 12 months or a distance covered of 16000 Kms., whichever occurs earlier. All defects due to faulty manufacture or workmanship shall be rectified and defective parts replaced during this period without passing any part of the burden including incidental charges, to the customer.	Do.
11	Immediate action shall be taken to visit the dealers' workshops periodically to ensure that the spare parts that go into the original equipment are being stocked for use during the warranty period, and compliance reported to Government.	Do.
12	When defects in critical components are reported from the field, the owners of all cars from that batch shall be notified so that the cars are brought immediately to the nearest dealer's service station for check and rectification of defects.	Do.
13	A legitimate test facilities for all raw materials and components shall be provided in each unit. The stock of the test facilities already available shall be taken and a list of additional facilities proposed to be established shall be made out and discussed at the Association level so that duplication of facilities are avoided as far as possible.	Automobile ancillary industry.

1

2

3

- 14 Action shall be taken to install test rigs for testing of performance requirements and evaluating the life of the components. Automobile ancillary industry
- 15 Immediate steps shall be taken at the Association level to evolve a provisional list of, and develop as many interchangeable components as possible, for the three car manufactured in the country in order to increase productivity, reduce cost and improve quality. Do.
- 16 Action shall be taken to lay down proper procedure for preventive maintenance and timely repair of machinery and equipment. Do.
- 17 Standard procedures shall be evolved for every dealer to have proper equipment and adequate facilities for servicing and repairs of the cars and to have adequate stock of such parts as are used in the original equipment, and that no others are used for replacement of defective parts during the warranty period. Such procedures shall be introduced within a period of six months. Car Industry..
- 18 Standard procedures shall be evolved (1) for the dealers to ensure that the cars transported by road do not exceed the speed limits specified, with a view to minimise defects arising during transportation, (2) for full authority being given to the dealers to settle complaints regarding defective parts irrespective of the agreement with the concerned ancillary suppliers so that the customer has not to wait for a long period, and (3) for the dealers to maintain proper record of complaints received from the car users and the action taken thereon. The dealers shall be directed to introduce these procedures within six months... Do.
- 19 Indian Standards for raw materials and components as and when formulated shall be adopted and implemented. Do.

[No. F.1(9)/68-A.E. Ind.(I)]

R. V. SUBRAHMANIAN, Jt. Secy.

(Department of Industrial Development)

ORDER

New Delhi, the 30th March 1968

S.O. 1249/IDRA/6/1/68.—In supersession of entry No. 10 of the late Ministry of Industry's Order No. S.O. 941/IDRA/6/3/67, dated the 10th March, 1967 relating to Dr. H. R. Nanji, the Central Government hereby appoints with effect from the date of this Order till the 6th May, 1968, Mr. Keith C. Roy, Managing Director, M/s. Merck Sharp & Dhome of India Ltd., Dugal House, Backbay Reclamation, Bombay-1, as a member of the Development Council for the scheduled industries engaged in the manufacture or production of Drugs and Pharmaceuticals, vice late Dr. H. R. Nanji.

[No. 2(6) Dev. Council/65-L.C.]

R. C. SETHI, Under Secy.

MINISTRY OF HEALTH, FAMILY PLANNING AND U.D.

(Department of Health and U.D.)

New Delhi, the 30th March 1968

S.O. 1250.—In pursuance of clause (e) of Section 5 of the Postgraduate Institute of Medical Education and Research, Chandigarh Act, 1966 (51 of 1966), the Central Government hereby nominates Smt. Sarla Grewal, Secretary to the

Government of Punjab, Medical and Health Departments, as a member of the Postgraduate Institute of Medical Education and Research, Chandigarh vice Shri Baldev Prakash, former Health Minister, Punjab, resigned.

[No. F.1-9/68-ME(PC).]

R. N. MADHOK. Jt. Secy.

(Department of Health)

ORDERS

New Delhi, the 23rd March 1968

S.O. 1251.—Whereas the Government of India in the late Ministry of Health has, by notification No. 17-2/60 MI dated the 22nd April, 1960, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) recognised the medical qualification "M.D. (Pennsylvania, U.S.A.)" for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby specifies the period commencing from the date of issue of this order and ending on the 31st December, 1968 or so long as Dr. (Miss) Helen C. Lalinsky who possesses the said qualification continues to work in the Holy Family Hospital, New Delhi to which she is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. (Miss) Helen C. Lalinsky shall be limited provided that the said doctor continues to be enrolled as a medical practitioner for the said period in accordance with the law regulating the registration of medical practitioners in her country.

[No. F. 19-4/68-MPT.]

S.O. 1252.—Whereas the Government of India in the late Ministry of Health has, by notification No. 16-40/61-MI dated the 26th July, 1962 made, in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D. (University of Turin, Italy) i.e. "Laurea in Medicine E. Chirurgia" for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby specifies a further period of two years with effect from the 26th July, 1966 or so long as Dr. Raffaella Scolletta, who possesses the said qualification, continues to work in the Fatima Clinic Mahanagar, Lucknow to which she is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Raffaella Scolletta shall be limited provided that the said doctor continues to be enrolled as a medical practitioner for the said period in accordance with the law regulating the registration of medical practitioners in her country.

[No. F. 19-37/67-MPT.]

New Delhi, the 25th March 1968

S.O. 1253.—Whereas the Government of India in the late Ministry of Health has, by notification No. 16-5/62-MI, dated the 23rd July, 1962, made, in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D. awarded by the University of Georgetown, United States of America." for the purpose of the said Act;

Now, therefore in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the India Medical Council Act, 1956 (102 of 1956), the Central Government hereby specifies a further period from the 1st July, 1967 to the 30th June, 1968, or so long as Dr. Mary C. Zimmerman who possesses the said qualification, continues to work in the Kurji Holy Family Hospital P.O. Sadaquat Ashram, Patna to which she is attached for the time being for the purposes of teaching.

research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Mary C. Zimmerman shall be limited, provided that the said doctor continues to be enrolled as a medical practitioner for the said period in accordance with the law regulating the registration of medical practitioners in that country.

[No. F. 19-7/68-MPT.]

New Delhi, the 30th March 1968

S.O. 1254.—Whereas the Government of India in the late Ministry of Health has, by notification No. 17-2/60-MI, dated the 22nd April 1960, made, in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M. D. (Pennsylvania, U.S.A.)" for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby specifies a period of two years with effect from the date of issue of this order or so long as Dr. Robert Whitcomb Mack who possesses the said qualification, continues to work in the Christian Medical College and Hospital, Vellore to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Robert Whitcomb Mack shall be limited; provided that the said doctor continues to be enrolled as a medical practitioner for the said period in accordance with the law regulating the registration of medical practitioners in his country.

[No. F.19-8/68-MPT.]

L. K. MURTHY, Under Secy.

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 23rd March 1968

S.O. 1255.—In exercise of the powers conferred by section 4 of the Terminal Tax on Railway Passengers Act, 1956 (69 of 1956), and in supersession of the notification of the Government of India in the Ministry of Railways No. F(X) I-67/TX-19/5 dated the 2nd March, 1968 the Central Government hereby directs that no terminal tax shall be levied on passengers travelling by railway from or to the notified place mentioned in the Schedule hereto annexed, to or from any railway station situated within a radius of 15 miles (24 Kilometres) from such notified place.

2. This notification shall have effect on and from the 1st May, 1968.

SCHEDULE

1. Jawalapur.

[No. F(X)I-67/TX-19/5-A.]

S.O. 1256.—In exercise of the powers conferred by sub-section (1) of section 3 of the Terminal Tax on Railway Passengers Act, 1956 (69 of 1956), and in supersession of the notifications of the Government of India in the Ministry of Railways (Railway Board) No. F. (X)I-67/TX-19/5-2 dated the 25th January, 1968 and No. F(X)I-67/TX-19/5-2(A) dated the 2nd March, 1968, the Central Government hereby:—

- (a) fixes the rates mentioned in columns III of the Schedule annexed hereto as the rates at which terminal tax shall be levied in respect of every railway ticket on all passengers carried by railway from or to the notified places specified in column I of the said Schedule, and
- (b) directs that the aforesaid terminal tax shall be leviable with effect from the 1st May, 1968.

2. This notification shall come into force on the 1st May, 1968.

THE SCHEDULE

Rates of Terminal Tax]

Sl. No.	Name of notified places.	Class of accommo- dation.	Single tickets			
			Adult	Short distance passengers.	Long distance passengers.	Child between 3 & 12 years of age.
				16 miles— 150 miles (25 kms.— 242 kms.)	Beyond 150— miles (242 kms.)	16 miles— 150 miles (25 kms.— 242 kms.)
						Beyond 150 miles (242 kms.)
I	2	3	4	5	6	7
1.	Hardwar	1. Air condi- tioned or 2. Jawalapur	Rs. P. 1.10	R. P. 1.50	Rs. P. 0.55	Rs. P. 0.75
3.	Near Tunnel	II class	0.75	1.00	0.38	0.50
4.	Bhimgoda Tank	III class	0.25	0.35	0.13	0.18

Explanation : The Terminal Tax on a return ticket shall be double the rates fixed herein.

[No. F(X)I-67/TX-19/5-2-B.]

C. S. PARAMESWARAN, Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY

(Department of Works and Housing)

New Delhi, the 26th March 1968

S.O. 1257.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), the Central Government hereby makes the following amendment in the notification to the Government of India in the Ministry of Works, Housing and Supply S.O. 3430 dated the 20th September 1967 namely:

In the Table below the said notification, the entries "Shri R. S. Mangla, Tehsildar, Delhi Development Authority" and "Shri Raj Bahadur Kulshrestha, Tehsildar, Delhi Development Authority" in column 1 against serial numbers 4 and 5 respectively shall be omitted.

[No. F. 21011(4)/68-Pol.]

V. P. AGNIHOTRI, Dy. Secy.

MINISTRY OF EDUCATION

New Delhi, the 13th March 1968

S.O. 1258.—In the matter of the Charitable Endowments Act, 1890,

AND

In the matter of the Sir Currimbhoy Ebrahim Scholarship Fund in connection with the Institute of Science, Bombay.

Whereas by a Resolution of the Government of Bombay in the Education Department Resolution No. 4142, dated the 18th April, 1940, a Scheme had been

approved for the administration of Sir Currimbhoy Ebrahim Scholarship Fund for giving scholarships to Muslim students born or domiciled in the State of Bombay who after having passed the Inter Science, B.Sc., and M.Sc., examinations of recognised universities prosecute their studies for the B.Sc., M.Sc., and Doctorate courses respectively of the Bombay University at the Institute of Science, Bombay;

And whereas as a result of the reorganisation of the former state of Bombay, the objects of the endowment became extended to more than one State;

And whereas the Director, Institute of Science, Bombay, being the person acting in the administration of the said Fund, has applied for the modification of the said Scheme so as to restrict the benefits of the Fund to Muslim students born or domiciled in the Maharashtra State only and who prosecute their studies in the Institute of Science, Bombay;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 5 of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government hereby makes the following amendment in the Scheme, approved by the Resolution of the Government of Bombay in the Education Department No. 4142 dated the 18th April, 1940; namely:—

In the said scheme, for rule 2, the following rule shall be substituted, namely:—

"2. Muslim students born or domiciled in the Maharashtra State only shall be eligible for the said Scholarships."

[No. F. 28-2/64-U. 1 (Part II).]

H. D. GULATI,
Assistant Education Adviser.

DELHI DEVELOPMENT AUTHORITY

PUBLIC NOTICE

New Delhi, the 30th March 1968

S.O. 1259.—The following modification which the Central Government proposes to make to the Master Plan for Delhi is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send the objection or suggestion in writing to the Secretary, Delhi Development Authority, Delhi Vikas Bhawan, Indraprastha Estate, New Delhi, within a period of thirty days from the date of this notice. The person making the objection or suggestion should also give his name and address.

Modification

Change of land use from "extensive industries" to "light industries" in respect of land on Rohtak Road measuring about 100 acres, and bounded by the railway line on the north, outer Ring Road on the east, Rohtak Road on the south and extending on the west along Rohtak Road from the edge of the outer Ring Road up to a length of 3,964 ft. (average).

2. The plan indicating the proposed modification will be available for inspection at the office of the Authority, Delhi Vikas Bhawan, Indraprastha Estate, New Delhi, on all working days except Saturdays, within the period referred to above.

[No. F.3(85)/67-M.P.]

B. C. SARKAR, Addl. Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 26th March 1968

S.O. 1260.—In exercise of the powers conferred by Section 5(1) of the Cinematograph Act, 1952 and sub-rule (3) of rule 8 read with sub-rule 2 of rule 9 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby appoints

Smt. Charusheela B. Gupte after consultation with Central Board of Film Censors, as a member of the said Board at Bombay with immediate effect.

[No. 11/2/68-FC.]

H. C. KHANNA, Dy. Secy.

New Delhi, the 26th March 1968

S.O. 1261.—In pursuance of rule 4(b) of the C.I.S. Rules, 1959, the Central Government as the result of the review undertaken, hereby fixes the authorised permanent strength of the following grades of the Central Information Service as on the 1st March, 1967:—

	Grade	Authorised Permanent Strength
<i>Class I :</i>		
<i>Selection Grade</i>	.	1
<i>Senior Administrative Grade :</i>		
(Senior Scale)	.	3
(Junior Scale)	.	7
<i>Junior Administrative Grade :</i>		
(Senior Scale)	.	4
(Junior Scale)	.	4
<i>Grade I</i>	.	79
<i>Grade II</i>	.	
<i>Add leave reserve @ 10 per cent</i>	.	62
<i>Add deputation reserve @ 15 per cent</i>	.	16
		24 }
		102
<i>Class II:</i>		
<i>Grade III</i>	.	117
<i>Grade IV</i>	.	
<i>Add leave reserve @ 10 per cent</i>	.	245
<i>Add deputation reserve @ 5 per cent</i>	.	36
		18 }
		299

2. The total strength of the Central Information Service has been fixed at 616 as on the 1st March, 1967.

[No. F.2/1/67-CIS.]

ORDER

New Delhi, the 29th March 1968

S.O. 1262.—In pursuance of the directions issued under the provisions of the enactments specified in the First Schedule annexed hereto the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Second Schedule annexed hereto in all their language versions to be of the description specified against each in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

(1) Sub-Section (4) of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).

(2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XI of 1953).

THE SECOND SCHEDULE

Sl. No.	Title of the film	Length 35mm	Name of the Applicant	Name of the Producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or documentary film
1	2	3	4	5	6
1.	Kille Raigarh .	348·39M	M/s. Mabalaxmi Chitra, Shenkershett Mansion, Nana Chowk, Tardeo, Road, Bombay-7.	1. Shri V.S. Thakur 96-B.L.J. Road, (For Release In Mahim Bombay-16 Maharashtra Circuit only).	
2.	Muke Karmyogi	299M	Director of Publicity, Government of Maharashtra, Film Centre, 68-Tardeo Road, Bombay-34.	2. Kum. Usha Mangeshkar, Prabhu Kunj, Peddar Road, Bombay-26.	Film intended for educational purposes (For release in Maharashtra Circuit only).

[No. F.24/1/68-FP App. 1244.]

CORRIGENDUM

New Delhi, the 26th March 1968

S.O. 1263.—In the Schedule in this Ministry's S.O. No. 657, dated 9th February, 1968, appearing in the Gazette of India, Extraordinary, Part II Section 3 Sub-Section (ii) No. 49, dated the 13th February, 1968, under Col. 3, S. No. 2, please read "443 M" for the existing figure "44.00 M".

[No. F. 24/1/68-FP. App. 1242.]

BANU RAM AGGARWAL, Under Secy.

MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 25th March 1968

S.O. 1264.—Whereas it appears to the Central Government that it is necessary in the public interest that the transport of Petroleum from GGS I to OT in the (Kalol) Oil Field, in Gujarat State, Pipelines should be laid by the Oil & Natural Gas Commission and that for the purpose of laying such Pipelines, it is necessary to acquire the Right of user in the land described in the schedule annexed thereto.

2. Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, at Elempcoo, 4th floor, Sayaji Ganj, Opp., College, Lokmanya Tilak Road, Baroda-5 in the Office of the Gujarat Pipelines Project (Oil & Natural Gas Commission) Baroda. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE :

Laying Pipeline from G.G.S.I. to O.T. Sabarmati

State—Gujarat Distt.—Mehsana Taluka—Kalol

Village	S. No.	Hector	Are	P.Are
Sertha	809	0	11	02
"	806	0	10	62
"	805	0	6	67
"	804	0	1	00
"	802	0	4	15
"	801	0	17	28
"	798/1	0	11	02
"	798/2	0	4	75
"	799	0	1	00
"	719	0	85	69

[No.20/3/67-Prod/IOC-I.]

S.O. 1265.—Whereas it appears to the Central Government that it is necessary in the public interest that the transport of Petroleum from GGS I to OT in the (Kalol) Oil Field, in Gujarat State, Pipelines should be laid by the Oil & Natural Gas Commission and that for the purpose of laying such Pipelines, it is necessary to acquire the Right of user in the land described in the schedule annexed thereto.

2. Now, therefore, in exercise of the powers conferred by Sub-section (i) of the Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, at Elempcoo, 4th floor, Sayaji Gunj, Opp. College Lokmanya Tilak Road, Baroda-5 in the Office of the Gujarat Pipelines Project (Oil & Natural Gas Commission) Baroda. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Laying Pipeline from G.G.S.I. to O.T. Sabarmati

State—Gujarat Distt.—Ahmedabad Tal.—Dasrcroi (Gandhinagar)

Village	S. No.	Hector	Are	P. Are
Dentali	V. P. Road	0	46	54
"	Dentali	0	15	98
"	135	0	52	91
"	V.P. Road, Dentali	0	4	85
"	4/1	0	5	86
"	4/3	0	11	13
"	4/4	0	10	72
"	3	0	9	51
"	2	0		

[No.20/3/67-Prod/IOC-II.]

S.O. 1266.—Whereas it appears to the Central Government that it is necessary in the public interest that the transport of Petroleum from GGS I to OT in the (Kalol) Oil Field, in Gujarat State, Pipelines should be laid by the Oil & Natural Gas Commission and that for the purpose of laying such Pipelines, it is necessary to acquire the Right of user in the land described in the schedule annexed thereto.

2. Now, therefore, in exercise of the powers conferred by Sub-section (i) of the Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, at Elempcoo, 4th floor, Sayaji Gunj, Opp. College Lokmanya Tilak Road, Baroda-5 in the office of the Gujarat Pipelines Project (Oil & Natural Gas Commission) Baroda. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Laying Pipeline from G.G.S.I. to O.T. Sabarmati

State—Gujarat District—Ahmedabad Taluka—Gandhinagar

Village	S.No.	Hector	Are	P. Are
Jamiyyatpur . . .	Village Panahayat Jamiyyatpur	road,		
Khoraj . . .	73/I	0	72	43
" . . .	76	0	9	91
" . . .	75	0	8	19
" . . .	81	0	6	77
" . . .	80/1 & 2	0	12	24
" . . .	91	0	28	93
" . . .	90 & 89	0	8	39
" . . .	88 (V. P Khoraj tank & Rd.)	0	24	88
" . . .	60 (7)	0	12	94
" . . .	60(6)	0	4	15
" . . .	Road land	0	1	01
" . . .	60(38)	0	2	31
" . . .	Road land	0	0	62
" . . .	60 (40)	0	0	90
" . . .	60 (41)	0	3	50
" . . .	68 (28)	0	3	24
" . . .	68 (27)	0	0	14
" . . .	68 (26)	0	2	50
" . . .	68 (25)	0	1	62
" . . .	Road land	0	2	81
" . . .	68 (38)	0	0	07
" . . .	62 (5)	0	0	50
" . . .	62 (7)	0	2	82
" . . .	62 (8)	0	0	50
" . . .	62 (6)	0	3	44
" . . .	Road land	0	0	50
" . . .	62 (12)	0	0	70
" . . .	62 (15)	0	3	34
" . . .	Road Land	0	0	50
" . . .	62 (20)	0	1	21
Khoraj . . .	62 (21)	0	2	42
" . . .	62 (22)	0	1	21
" . . .	62 (23)	0	3	24
" . . .	Village Panchayat Road, Village Khoraj	0	3	54

[No.20/3/67-Prod/IOC-III.]

New Delhi, the 26th March 1968

S.O. 1267.—Whereas it appears to the Central Government that it is necessary in the public interest that the transport of Petroleum from the Ankleshwar Oil Field in Gujarat State to Utran in Gujarat State. Pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such Pipelines, it is necessary to acquire the Right of user in the land described in the schedule annexed thereto.

2. Now, therefore, in exercise of the powers conferred by Sub-section (i) of the Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, at Elempcoo, 4th floor, Sayaji Gunj, Opp. College Lokmanya Tilak Road, Baroda-5 in the Office of the Gujarat Pipelines Project (Oil and Natural Gas Commission) Baroda. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Gujarat	District—Broach				Mahal—Hansot		
Village	S. No.	Acre	Guntha	Sq. Yds.	Hector	Arc	P. Are
Amod	77/1	0	4	49	0	4	45
Karach	161	0	2	24	0	2	22
"	164	0	16	114	0	17	13
"	500	0	25	42	0	25	64

[No. 31/38/63-ONG/IOC/Vol. 7/(a).]

S.O. 1268.—Whereas it appears to the Central Government that it is necessary in the public interest that the transport of Petroleum from the Ankleshwar Oil Field in Gujarat State to Utran in Gujarat State, Pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such Pipelines, it is necessary to acquire the Right of user in the land described in the schedule annexed thereto.

2. Now, therefore, in exercise of the powers conferred by Sub-section (i) of the Section 3 of the Petroleum Pipelines (Acquisition of Right of User In Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, at Elempcoo, 4th floor, Sayaji Gunj, Opp., College Lokmanya Tilak Road, Baroda-5 in the Office of the Gujarat Pipelines Project (Oil and Natural Gas Commission) Baroda. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Gujarat	District—Surat				Taluka—Olpad		
Village	S. No.	Acre	Guntha	Sq. Yds.	Hector	Arc	P. Are.
Siyadala	134	0	13	0	0	13	15

[No. 31/38/63-ONG/IOC/Vol. 7/(b).]

S.O. 1269.—Whereas it appears to the Central Government that it is necessary in the public interest that the transport of Petroleum from the Ankleshwar Oil Field in Gujarat State to Utran in Gujarat State, Pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such Pipelines, it is necessary to acquire the Right of user in the land described in the schedule annexed thereto.

2. Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification object to the laying of the Pipelines under the land to the Competent Authority, at Elempcoo, 4th floor, Sayaji Gunj, Opp., College Lokmanya Tilak Road, Baroda-5 in the Office of the Gujarat Pipelines Project (Oil and Natural Gas Commission) Baroda. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Gujarat	District—Broach			Taluka—Ankleshwar			
Village	S. No.	Acre	Guntha	Sq. Yds.	Hector	Are	P. Are
Piludra . . .	176	0	8 $\frac{1}{4}$	0	0	8	85

[No. 31/38/63-ONG/IOC/Vol. 7/(c).]

New Delhi, the 29th March 1968

S.O. 1270.—In the schedule to the notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 1204 dated the 26th March, 1964 published in the Gazette of India Part II, Section 3, Sub-Section (ii) dated the 4th April, 1964, the following may be deleted:

Village I	Survey Plot No. 2	Extent P—R—B 3
1 Dcoriya	88/I	0 0 10
2 Bhupti	167M 170 183 197	0 0 5 0 2 0 0 1 10 0 0 10
3 Kashipur	530 532/I	0 1 5 0 1 10
4 Dixitpur	72 75 93 97	0 1 0 0 0 5 0 8 15 0 8 10
5 Kailhat	336 340 341/2	0 2 5 0 1 5 0 2 10
6 Hajipur	62M 64M 85M 92M 101M 111 112 113 116M 118M 121M 120M 123M 125	0 2 0 0 0 10 0 0 10 0 1 15 0 2 0 0 3 5 0 1 0 0 0 5 0 1 10 0 2 10 0 0 8 0 1 10 0 2 5 0 2 5

	1	2	3
7	Sarayan Sikandarpur	574	o o 5
8	Kazipur	8	o o 10
9	Jagdishpur	126 128 134 136 139 143/1 149	o o 10 o o 10 o i o o i o o o 10 o o 5 o 2 o
10	Bhurahi	352 369 370 381	o o 10 o 2 o o i 5 o 2 5

[No. F.31/50/68-ONG/OR.]

ERRATUM

New Delhi the 26th March 1968

S. O. 1271.—In this notification of the Government of India in the Ministry of Mines & Fuels issued under S. O. No. 2999 dated 9-10-63 and published in the Gazette of India, Part II, Section 3, in sub-section (ii) dated 19-10-1963.

- I. At page No. 3801 and at village Siyadala Taluka Olpad.

<i>For</i>					<i>Read</i>						
Survey No.	Acre	Guntha	Sq. Yds.	Sq. Ft.	Survey No.	Acre	Guntha	Sq. Yds.	Hector	Are	P. Are
189	0	9	62	6½	189	0	25	90	0	26	03

- II. At page No. 3801 and at village Sivan, Taluka Olpad
Omit S. No. 76

- III. At page No. 3803 and at village Mulad Taluka Olpad.

<i>For</i>					<i>Read</i>						
173/A	1	39	87	6	173/A	0	14	30	0	14	40

[No. F. 31/38/63-ONG/IOC/Vol. 7/(d)]

S. O. 1272. - the notification of the Government of India S. O. No. 3000 dated 9-10-63 and published in the Gazette of India, Part-II, Section 3 in Sub-section (ii) dated 19-10-1963.

At page No. 3804 and at village Kharach Mahal Hansot :

<i>For</i>					<i>Read</i>								
Survey No.	Acre	Guntha	Sq. Yds.	Sq. ft.	Survey No.	Acre	Guntha	Sq. Yds.	Sq. ft.	Hector	Are	P.	Are
162	0	3	113	6	162	0	9	0	0	0	9	11	
163	0	30	36	6	163	0	21	43	0	0	21	61	
341	0	2	24	6	Road	0	2	24	6	0	2	22	
456	0	5	75	0	456	0	0	100	0	0	0	83	

Omit S. No. 457.

[No. F. 31/38/63-ONG/IOC/Vol. 7(e.)]

S. O. 1273.—In the notification of Government of India in the Ministry of Mines & Fuels issued under S. O. No. 3001 dated 9-10-63 [and published in the Gazette of India, Part II, Section 3, in Sub-section (ii) dated 19-10-63.

I. At page No. 3805 and at village Piludra Taluka Ankleshwar :

S. No.	<i>For</i>				<i>Read</i>					
	Acre	Guntha	Sq. Yds.	Sq. ft.	S. No.	Acre	Guntha	Sq. Yds.	Hector	P. Are
148	0	8	59	6	148	0	5	0	0	5
Omit S. Nos. 146 & 248.										

[No. F. 31/38/63-ONG/IOC/Vol. 7/(D)]

P. GUPTA, Under Secy.

(Department of Chemicals)

ORDER

New Delhi, the 26th March 1968

S.O. 1274.—In exercise of the powers conferred by section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order to amend the Molasses Control Order, 1961, namely:—

1. This Order may be called the Molasses Control (Amendment) Order, 1968.
2. In the Molasses Control Order, 1961, after clause 10, the following clause shall be inserted namely:—

“11. Application of provisions of the Order to molasses prepared by open pan process.

- (1) The provisions of this Order shall apply to and in relation to molasses prepared by the open pan process (that is to say, mother liquor produced in the final stage of the manufacture of khandsari sugar by the open pan process) from sugarcane or gur with the aid of power as they apply to and in relation to mother liquor produced in the final stage of the manufacture of sugar by the vacuum pan process from sugarcane or gur with the aid of power:

Provided that in such application, the Schedule to this Order shall have effect as if for that Schedule, the following Schedule had been substituted, namely:—

THE SCHEDULE

<i>Grade of molasses</i>	<i>Price</i>
Grade I	67 paise per 100 kilograms:

Provided that the percentage of total reducing sugar expressed as invert sugar is not less than 50 per cent.

- '2) Notwithstanding that the provisions of this Order have come into force in any State, the provisions of sub-clause (1) shall not come into force in that State unless the Central Government, by notification in the Official Gazette, otherwise directs.”

[No. 4/108/64/Ch. I.]

M. RAMAKRISHNAYYA, Jt. Secy.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 26th March 1968

S.O. 1275.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1318 dated the 7th April, 1967, the Central Government hereby appoints Smt. K. A. Majumdar to be an Inspector for the whole of the State of Maharashtra for the purposes of the said Act and of any Scheme framed thereunder, in relation to any establishment belonging to or under the control of the Central Government, and in relation to any establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. 20(65)/64-PF-I.]

New Delhi, the 27th March 1968

S.O. 1276.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Saraf Mor Brothers, Thompson Street, Visakhapatnam-1, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 31st day of May, 1967.

[No. 8/109/67/PF-II.]

S.O. 1277.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Mineral Grinding Industries, 23/24, Radha Bazar Street, Calcutta-1 (West Bengal) have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, Therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall come into force on the 30th April, 1968.

[No. 8/52/68-PF.II.]

New Delhi, the 30th March 1968

S.O. 1278.—Whereas Shri V. G. Kasar, Inspector (Grade II) in the Employees' Provident Fund Organisation in the State of Maharashtra has retired with effect from the 4th January, 1968.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 647, dated the 18th April, 1958, namely:—

In the said notification, the letters and word "V. G. Kasar" shall be omitted.

[No. 20(65)/64-PF.I.]

New Delhi, the 1st April 1968

S.O. 1279.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Glaxo Co-operative Canteen and Store Society Limited, 2nd Pokharan Road, Thana (Maharashtra), have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 30th day of September, 1967.

[No. 8/12/68/PF.II.]

S.O. 1280.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry, hereby specifies that the said section 6 in its application to Messrs. South Point Printers Private Limited, M-74 Paharpur Road, Calcutta-24, with effect from the 31st March, 1968, shall be subject to the modification that for the words 'five and a quarter percent', the words 'eight percent' shall be substituted.

[No. 8(53)/68-PF.II.]

S.O. 1281.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. South Point Printers Private Limited, M-74, Paharpur Road, Calcutta-24 (West Bengal), have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall come into force on the 31st day of March, 1968.

[No. 8/53/68/PF.II]

S.O. 1282.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ferro Coatings and Colours Limited, P.O. Joka, (Distt. 24 Parganas), West Bengal have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall come into force on the 31st day of March, 1968.

[No. 8/54/68-PF.II.]

DALJIT SINGH, Under Secy.

(Department of Labour & Employment)

New Delhi, the 27th March 1968

S.O. 1283.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of Shri P. C. Rai, Regional Labour Commissioner (Central), Jabalpur, Arbitrator in the dispute between the management of Banki Colliery of Messrs National Coal Development Corporation Limited, Post Office Banki Mogra, District Bilaspur (Madhya Pradesh) and their workmen represented by the Madhya Pradesh Colliery Workers' Federation, Post Office Banki Mogra, District Bilaspur (Madhya Pradesh), which was received by the Central Government on the 23rd March, 1968.

Arbitration Award of Shri P. C. Rai, Regional Labour Commissioner (Central), Jabalpur, in the case of Shri Mahabir of Banki Colliery of N.C.D.C. Ltd.

RLC File No. J-81(1)/68.

M/L & E File No. 5/2/68-LRII.

PRESENT

Shri P. C. Rai, Regional Labour Commissioner (C), Arbitrator.

Representing Employers.—Shri S. P. Mathur, Deputy Superintendent of Collieries, Banki Colliery of M/s. N. C. D. C. Ltd. P.O. Banki Mogra, Distt., Bilaspur, M.P.

Representing Workmen.—(1) Shri Rambilas Sobhnath, Secretary, M.P. Colliery Workers' Federation, P.O. Banki Mogra, Distt., Bilaspur, M.P.

(2) Shri L. K. Paswan, Secretary, M.P. Colliery Workers' Federation P.O. Surakhachhar Colliery, Distt., Bilaspur, M.P.

Ministry of Labour, Employment and Rehabilitation, Deptt., of Labour and Employment, by notification No. 5/2/68-LRII dated 12th February, 1968 published an order in the Gazette of India, which included an agreement under section 10-A of the Industrial Disputes Act 1947. By this order the dispute was referred to my arbitration. The following is the relevant portion of the agreement:—

"It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri P. C. Rai, Regional Labour Commissioner (Central), Jabalpur.

(i) *Specific matters in dispute:*

- (I) Whether the dispute specified in item II below has been validly raised?
- (II) If so, whether retrenchment of Shri Mahabir, Winding Engineman with effect from 15th January, 1968 is legal and justified? If not, to what relief is he entitled?
- (ii) *Details of the parties to the dispute including the name and address of the establishment or undertaking involved:*
- Employers** in relation to the Bank Colliery of M/s. National Coal Development Corporation Limited, P.O. Banki Mogra Distt., Bilaspur M.P. and their workmen, represented by Madhya Pradesh Colliery Workers' Federation, P.O. Banki Mogra (Distt. Bilaspur) M.P.
- (iii) *Name of union, if any, representing the workmen in question:*
Madhya Pradesh Colliery Workers' Federation, P.O. Banki-Mogra. Distt. Bilaspur) M.P.
- (iv) *Total number of workmen employed in the undertaking affected:*
1250.
- (v) *Estimated number of workmen affected or likely to be affected by the dispute.*

1.

We further agree that the decision of the Arbitrator shall be binding on us.

The Arbitrator shall make his award within a period of 3 months or within such further time as is extended by the mutual agreement between us in writing. In case the award is not made within the period afore-mentioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration".

In response to my request, written statements were submitted by the management of Banki Colliery of N. C. D. C. Ltd., on 4th February, 1968, and by the M.P. Colliery Workers' Federation on 31st January, 1968. Hearing in this case took place on 6th February, 1968, and at this hearing the management submitted that the agreement dated 4th January, 1968, was not valid and Shri Rambilas Sobhnath was not duly accredited to sign a settlement and represent M.P. Colliery Workers' Federation. In this connection, the management invited my attention to Section 36 of I.D. Act, and Rule 58 of the Industrial Disputes (Central) Rules. Shri Rambilas Shobhnath produced copies of M.P. Colliery Workers' Federation letter No. Banki/67/76 dated 10th June, 1967, (from the Dy. General Secretary, M.P. Colliery Workers' Federation) addressed to the Deputy Superintendent of Collieries. Letter No. Banki 67/75 dated 10th June, 1967, from Dy. General Secretary, M.P. Colliery Workers' Federation, Chirimiri addressed to the Asstt. Labour Commissioner (C) Bilaspur was also produced by the parties, Letter No. 22/RP/7 dated 26th January, 1968 from General Secretary, M.P. Colliery Workers Federation, P.O. Chirimiri addressed to Asstt. Labour Commissioner (C), Bilaspur was also produced by the parties. Shri Rambilas Sobhnath submitted that he was duly authorised to represent and raise an industrial dispute and also to make a settlement. The Deputy Supdt. of Collieries, Banki Colliery invited my attention to clauses No. 8(a) and 9 of the Constitution of M.P. Colliery Workers' Federation 1966 Edition. It could not be conclusively proved by Shri Rambilas Sobhnath (though he was Branch Secretary, M. P. Colliery Workers' Federation, Banki and Ex-Officio member of Central Executive Committee) that he was duly authorised to raise and make an appearance in proceedings under the I.D. Act, 1947. The management insisted that Shri Rambilas Sobhnath was not authorised and my attention was also drawn by the parties to M. P. Colliery Workers' Federation, Jabalpur letter No. Misc. 68 dated 31.1.1968. Shri Rambilas Sobhnath submitted that by a general practice he was making an appearance in proceedings under the I.D. Act and was raising disputes in the past but his authority or validity of his action was never challenged in any proceeding under the I.D. Act. The Dy. Subdt. of Collieries contended that his authority was duly challenged in the past also. The Dy. Supdt. of Collieries made a submission that Shri Rambilas Sobhnath was not authorised to raise dispute and make an appearance in the proceedings under the I.D. Act, 1947.

After taking into account the Constitution of the Union and letters mentioned above. I hold that the present dispute regarding wrongful retrenchment of Shri Mahabir, Coal Winding Engineman of Banki Colliery was not validly raised by

Shri Rambilas Sobhuath as he could not produce a letter of authority from the M. P. Colliery Workers' Federation in this case.

In the circumstances, no award is called for on item No. II of the specific matter in dispute and I gave no award.

(Sd.) P. C. RAI,
Regional Labour Commissioner (C)

Jabalpur.
Arbitrator

[N~~o~~ 5/2/68-LRII.]

New Delhi, the 28th March 1968

S.O. 1284.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employers in relation to the West Barkuhi Colliery of Messrs J. A. Trivedi Brothers, Post Office Parasia, District Chhindwara (Madhya Pradesh) and their workmen, which was received by the Central Government on the 26th March, 1968.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

Dated March 9, 1968

PRESENT:

Sri G. C. Agarwala —Presiding Officer.

CASE REFERENCE NO. CGIT/LC(R) (122) OF 1967

PARTIES:

Employers in relation to The West Barkuhi Colliery of M/S. J. A. Trivedi Brothers, Post Office, Parasia, District Chhindwara (Madhya Pradesh)

Versus

Their workmen represented through the Secretary, Samyukta Khadan Mazdoor Sangh, P.O. Parasia, District Chhindwara (Madhya Pradesh).

APPEARANCES:

For Employers—S/Sri D. Y. Sirpurkar, Advocate and R. J. Trivedi, Agent and Partner.

For Workmen—Sri P. K. Thakur, Vice-President, Samyukta Khadan Mazdoor Sangh, P.O. Parasia, District Chhindwara (M.P.).

INDUSTRY: Coal Mines.

DISTRICT: Chhindwara (M.P.)

AWARD

By Notification No. 5/26/67-LRII, dated 24th August, 1967, the following matter of dispute as stated in the schedule to the order of reference was referred to this Tribunal for adjudication :—

Matter of Dispute

Whether the management of the West Barkuhi Colliery of Messrs J. A. Trivedi Brothers, Parasia, is justified in retrenching S/Shri Kamal Bhawan, Samai Lal, Baijoo and Shyam Lal, Coal Cutters of West Barkuhi Colliery with effect from the 15th October, 1966 while they (the management) closed down their East Barkuhi Colliery? If not, to what relief are the workmen entitled?"

2. After issue of usual notices, parties filed their statements of claim followed by rejoinders and on perusal of which the following additional issues were framed:

Additional Issues

- (1) Whether East and West Barkuhi Collieries were one establishment and could be treated as one unit for retrenchment purposes?

(2) Was retrenchment of the concerned workmen violated provisions of Section 25F(a)(b) and 250 of I.D. Act?

3. The undisputed facts of the case are that there are two Collieries known as East and West Barkuhi Collieries. East Barkuhi Colliery formerly belonged to M/s. Khan Sahib M. Hasanji and Sons, while West Barkuhi Colliery belonged throughout to the present employers, M/s. J. A. Trivedi Brothers. East Barkuhi Colliery was closed in 1958. M/s. Khan Sahib M. Hasanji and Sons sold the same to the present employers M/s. J. A. Trivedi Brothers in 1961. M/s. Trivedi Brothers had been running throughout their West Barkuhi Colliery. They started the East Barkuhi Colliery in 1964. West Barkuhi Colliery has three inclines, No. 1, 2 and 3. According to the statement of Sri Ranglal Bansal (E.W. 1) Manager, who is in the employment of J.A. Trivedi Brothers right from 1958, Incline No. 1 of West Barkuhi Colliery was connected with East Barkuhi Colliery in 1962 and the two became one mine. A

Manager enquired from the February, 1964 (Ex E/1) whether Colliery getting connected through ground passages would constitute one mine or not. The Inspector of Mines by letter dated 29th February, 1964 confirmed the fact that it under the Coal Mines Act, 1952, would constitute one mine.

Manager that when East Barkuhi Colliery were transferred and only four new employees were recruited. They have now closed the workings of East Barkuhi Colliery permanently with effect from 15th October, 1966. While effectuating closure they gradually retrenched the staff and did so in four instalments. As stated by the Manager, 15 persons were retrenched in April, 1965; 48 in September, 1965 and again a certain number of workmen were retrenched in later part of September, 1965. The last instalment of retrenchment is being carried out one brought about by notice dated 12th September, 1966 (Exts. W/1 to W/5) when 47 workmen including 5 concerned workmen were retrenched. In bringing about the retrenchment the employers have been treating East and West Barkuhi Collieries as one establishment and on the combined seniority of workmen of each category on a common pooled basis. The five concerned workmen on whose behalf the dispute was raised by the Union Samvuktak Khadan Mazdoor Sangh were Coal Cutters of West Barkuhi Colliery. Their contention was that being employees of another Colliery the West Barkuhi Colliery they should not have been retrenched by the closure of the East Barkuhi Colliery. The management, on the other hand contended that East and West Barkuhi Collieries were one establishment and on the basis of a common pooled seniority, the five concerned workmen have been rightly retrenched.

4. Before taking up the additional issues framed in the case a new objection was raised during the enquiry and was also argued by the Union. The retrenchment notices filed by the Union (Ex W/1 to W/5) are signed by the Manager. It was contended that the Manager had no authority to retrench. Such a plea was not taken either in the statement of claim or even in the rejoinder. Consequently, no issue on this subject was framed. A perusal of the conciliation failure report would further show that no such plea was taken in the conciliation also. The Manager, Sri Parasal Bansal has stated that he had been bringing about retrenchment and issued retrenchment orders under verbal instructions of the Agent who is also the Owner. If the Union had taken a specific plea on the subject, the employers could have produced more evidence to justify the retrenchment by the Manager. The Union was, therefore not permitted to raise a new plea which was never conceived by them at any earlier stage. The additional issues may now be examined.

FINDINGS

5. Issue No. 1—The question whether East and West Barkuhi Collieries are one industrial establishment or not is a mixed question of law and fact. Industrial establishment has not been defined for the purposes of Section 25G though the expression has been defined under Section 25A (2) I.D. Act but only with relation to Sections 25C and 25E. As observed in Indian Cable Co. Ltd. Vs. their workmen, 1961-I-LLJ p. 409 at page 416, the expression has to be construed in its ordinary sense. The various tests which can be taken into account were laid down in Associated Cement Co. Ltd. Vs. Their workmen reported in 1960-I-LLJ p. 1. The principle being the unity of ownership, unity of management supervision and control, unity of finance, unity of labour and conditions of service of workmen, functional unity, unity of purpose and geographical

proximity. The proved facts in the case are that though they were East and West Barkuhi Collieries as distinct and separate mines, they came under one ownership in 1961. In 1964 when East Barkuhi Colliery was started most of the employees came from West Barkuhi Colliery and at least one Incline No. 1 of West Barkuhi Colliery got interconnected with the workings of Incline No. 15 of East Barkuhi Colliery. They became one mine and the fact was so recognised by the Mines Department. According to the evidence of the Manager, Sri Rangal Bansal (E.W. 1) which remained uncontested, the entire establishment was named as East and West Barkuhi Colliery with two Collieries as separate sections. The entire establishment was one. Workers were transferred from one section to another as and when necessary. Although the Attendance Registers were separate, they being treated as separate sections yet payment was made from one office. They are governed by the same Standing Orders. With these facts it is difficult to say that they were not one industrial establishment. The employers have been treating the two as one establishment and as a matter of fact within the knowledge and acquiescence of the workers also. There were three previous retrenchments by reason of the gradual closure of East Barkuhi Colliery and these retrenchments were brought about on a common pooled basis. This Union had been operating when previous retrenchments were made and no objection was raised. It follows, therefore, that on previous retrenchments, they derived the benefit on a common pooled basis. It is true that plea of estoppel and acquiescence has little meaning in industrial adjudication [vide Workmen of Subong Tea Estate (Indian Tea Employees' Union) Vs. Subong Tea Estate and another, reported in 1964-I-LIJ p. 333] but the fact cannot be ignored as indicative of the conduct. Having derived the advantage on common pooled basis, the Union cannot be permitted to say that in the case of these five concerned workmen they being employed in the West Barkuhi Colliery, the retrenchment should not be on basis of one establishment and on a common pooled basis. It is, therefore, held that East and Barkuhi Collieries were one establishment and could be treated as one unit by the employers for retrenchment compensation.

6. Issue No. 2.—The Union in the statement of claim except making a bare statement that the retrenchment was bad in law as Sections 25F(a), 25F(b) and 25G were violated gave no indication how the provisions were not complied with. The employers in their rejoinder took up this failure as a specific question pleading that the Union has not disclosed how provisions were violated. The conciliation failure report would show that the only stand taken by the Union in conciliation was that the employers had not complied with provision of Section 25F(c), a plea which was rejected by the Conciliation Officer in para 6 of the report. The employers were, therefore, left to guess what the Union intended by this objection. Obviously, the Union intended to take advantage by the loopholes which might get discovered in evidence. This the Union has endeavoured to build up by the contents of notice of retrenchment. The notice runs as follows:—

"Further to this office letter No. WBC/Retrench/2705/68, dated 5th August 1966, this is to inform you that our East Barkuhi Colliery would be finally closed by the 15th of October, 1966 as the extraction of all extractable coal would be completed by that time and your services would not be required. You are, therefore, served one month's notice as required under Section 25F(a) of the Industrial Disputes Act, 1947. The compensation under Section 25F(b) would be paid to you in due course."

It was contended that the date of notice was 12th September, 1966 and expired on 11th October, 1966. The retrenchment compensation, as the payment Register (Ex. E/6) would show was however paid on 15th October 1966, three days after the expiry of the notice period and therefore this contravened Section 25F(a) and (b). To support this contention reliance is placed on a recent Supreme Court case M/s. National Iron Steel Co. Ltd. Vs. State of Bengal, reported in 1967 (14) F.I.R. page 356 at page 361. That case is, however, distinguishable inasmuch as the workmen had been paid compensation in lieu of notice which was served on 17th November and they were asked to collect dues on 20th November. This contravened the principles laid down in the Bombay Union of Journalists case reported in 1964(6) S.C.R. page 22 at page 31-32. The employers indeed have to make the payment or offer payment at the time of retrenchment as indicated by the wordings of Section 25F and interpreted by the Hon'ble Supreme Court. The question, however, is of fact as to when was the retrenchment affected. The notice, no doubt, is badly worded and does not specifically state the date on which the notice would expire. It simply stated that the "colliery would be finally closed by 15th October, 1966" and further went on to state that the "services would not be required". The notice is capable of two interpretations. It can either mean that

services would not be required after the 15th October, 1966 and it can also mean that on the expiry of one month's notice from 12th September 1966 the services would not be necessary. It is all a question of fact what the employers intended to mean and what the employees understood. The real intention of the employers can be gathered from the notice which they sent to the Government (Ex. E/3) and (Ex. E/4). In Ex. E/3 which is dated 13th September 1966 the date of retrenchment was mentioned as 15th October 1966 and on certain informations called for by the Labour Enforcement Officer (Ex. E/4A), the employers furnished the same by means of Ex. E/4 repeating the same date. It follows, therefore, that from the very inception when notice was given the date of the retrenchment in the mind of the employers was 15th October 1966 when the Colliery would be finally closed. The workers also understood to be so and were paid wages as also compensation on 15th October 1966 as is evident from the Payment Register (Ex. E/6). When both parties understood the date as 15th October 1966 it is not open to Union to challenge the validity of the notice on the ground that the notice dtd 12th September 1966 should be strictly construed and it did not refer retrenchment date as 15th October 1966. In this connection, it is significant to note that no such objection was raised on behalf of the workmen by the Union in the conciliation proceedings and even in this case no indication was made in the pleadings. It must, therefore, be held that the notice was a valid one and the retrenchment date was 15th October 1966 and should not be construed as 12th September, 1966.

7. It is further pertinent to note that by the wordings of the reference the date of retrenchment has been treated as 15th October, 1966 and it is not open for the Union to contend otherwise. There was, therefore, no contravention of either Clause (a) or Clause (b) of Section 25F. The question of Section 25G has already been discussed in the preceding issue. The management, however, filed a combined list (Ex. E/2) of all the workers and nothing has been shown that on the pooled basis, the rule of last come first go has not been observed.

Decision:—

The result is that the management were justified in retrenching the five concerned workmen with effect from 15th October 1966 while closing down East Barkhi Colliery and the workmen concerned are not entitled to any relief. No order for costs.

(Sd.) G. C. AGARWALA,

Presiding Officer.

9-3-1968.

[No. 5/26/67-LRII.]

New Delhi, the 29th March 1968

S.O. 1285.—In pursuance of section 1 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of Shri I. B. Sanyal, Director, Central Institute for Training in Industrial Relations, New Delhi and Arbitrator in the industrial dispute between the Jeenagora Colliery of Messrs. Jeenagora East Bararee Colliery Company Limited, Post Office Khas Jeenagora, District Dhanbad and their workmen represented by Koyala Mazdoor Panchayat, Post Office Jharia, District Dhanbad which was represented by Koyala Mazdoor Panchayat, P.O. Jharia, District Dhanbad.

In the matter of arbitration in the industrial dispute between the management of Jeenagora (East Bararee) Colliery of Jeenagora East Bararee Colliery Company Limited, P.O. Khas Jeenagora, District Dhanbad and their workmen represented by Koyala Mazdoor Panchayat, P.O. Jharia, District Dhanbad.

AWARD

The Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) by their Order No. 2/115/67-LRII dated 26th October, 1967, published the agreement dated 27th September, 1967, between the Jeenagora East Bararee Colliery Company Limited and the Koyala

Mazdoor Panchayat under Section 10A(1) of the Industrial Disputes Act referring the above industrial dispute to my arbitration. The specific matters in dispute were:—

"(a) Whether the alleged dismissal discharge of the following workers with effect from the dates mentioned against their names is justified?

S. No.	Name of the workers	Designation	Date of dismissal/discharged
1	Sri D. N. Tewari	Depot Chaprasi	22-8-67
2	Sri Gurucharan Ram	Office peon	22-8-67
(b) Whether the retrenchment of the following workers with effect from the dates mentioned against their names is justified ?			
1	Sri H. M. Landey	Despatch-cum-loading clerk	13-7-67
2	Sri Lalita Singh	Night guard	13-7-67
3	Sri Udaya Singh	Cap Lamp Issuer	13-7-67
4	Sri Sita Ram Pandey	U/G Munshi	13-7-67
5	Sri Mahendra Singh	Do.	13-7-67
6	Sri U. C. Chatterjee	P. F. Clerk	13-7-67
7	Sri Chandrama Singh	U/G Munshi	13-7-67
(c) Whether the non-employment of the following workers with effect from the dates mentioned against them is justified ?			
1	Sri N. N. Singh	Overman	8-7-67
2	Sri Ganori Routh	H/C Trammer	..
3	Sri Kapil Deo Singh	Drag Mazdoor	28-6-67
4	Sri Sadagar Muchi	H/C Bhata Mazdoor	12-6-67
5	Sri Suraj Singh	Crushing Machine Maz.	14-8-67
6	Sri Panu Mia	Works Supervisor	27-7-67
7	Smt. Chari Madin	Hard Coke Kamin	27-7-67
8	Smt. Sumri Mudin	Do,	27-7-67
9	Smt. Sumri Dusadin	Hard Coke Bhata Kamin	27-7-67
10	Smt. Siddik Bibi	Do,	27-7-67
11	Smt. Rasna Baurin	Shale Picker	27-7-67
12	Smt. Basni Mia	Do.	11-9-67
13	Smt. Pabasi Baurin	Do.	11-9-67
14	Smt. Dhanwar Muchin	Do.	11-9-67
15	Sri Rabi Shankar Bhat	Water Mazdoor	16-6-67
16	Sri Baisakhi Dusad	Magzine Guard	5-5-67
17	Sri S. G. Hazra	Teacher	20-6-67
18	Smt. Priyabala Mazumdar	Creche Nurse	27-7-67
19	Sri Anadi Mahato	General Mazdoor	26-6-67
20	Smt. Jaitun Bibi	Shale picker	11-9-67
21	Smt. Dasi Baurin	Do.	11-9-67
22	Sri Sonaram Mahato	Steam Pump Supervisor	27-7-67
23	Sri Barki Mahatin	Shale Picker	20-6-67
24	Sri Budhan Lohar	Trammer	26-9-67
25	Sri Tulsi Mistry	Blacksmith	1-5-67
26	Sri Kamla Harin	Sweeper	27-6-67
27	Sri Lallan Singh	Pump Khalasi	7-6-67
28	Sri B. N. Burman	Do.	7-6-67

If not, in all the above mentioned cases at (a), (b) and (c) above, to what relief the workers are entitled.".

I held arbitration proceedings on 25th November, 1967, 27th November, 1967, 17th January, 1968, and 18th January, 1968. The management were represented by Shri Sunil Kumar Chatterjee, Advocate and the workmen by Shri H. N. Singh, Vice President, Koyal Mazdoor Panchayat.

Regarding the issue at (a) above, I have carefully considered the statements of the parties and the documents placed at my disposal. It is observed that Sri D. N. Tewari, Depot Chaprasi, was directed to work as Night Chaprasi at

the Director's Bangalow and Shri Gurucharan Ram, Office Peon, was directed to watch the water level of Chatkari Jore at night. It is also seen that both of them refused to carry out the orders on the plea that the transfer orders were *mala fide*. Both of them were chargesheeted for such refusal and a domestic enquiry was held in respect of both of them. It is on record that Shri D. N. Tewari attended the enquiry on 31st July, 1967, for some time and abruptly withdrew himself from the enquiry. Shri Gurucharan Ram also refused to attend the enquiry on 31st July, 1967, and so enquiry proceedings were held ex parte. As both the workers were found guilty of misconduct, they were dismissed from service with effect from 22nd August, 1967.

From the facts and circumstances leading to the dismissal of these two workers, it is difficult for me to accept the contention of the Union that the management were actuated by a *mala fide* motive to dismiss these persons. I do not think that the transfer orders of the management were issued simply to harass these two persons. The mere fact that they were asked to work at night at the Director's Bangalow and the Chatkari Jore respectively cannot constitute any ground for imputing to the management a *mala fide* motive, the less so as their service conditions were not adversely affected. Such simple transfers from one section to another in the colliery premises are of a routine nature and constitute a normal administrative function of the management.

It is no doubt true that the management had asked Shri D. N. Tewari to present himself before the Medical Officer of the Colliery or before the Medical Board of the Central Hospital, Jagjiwan Nagar, and get himself examined regarding his physical fitness. I do not find any thing wrong on the part of the management in giving such a direction to Shri Tewari since they considered that he had been suffering from general weakness due to old age. Even though Shri Tewari did not carry out this order, he was dismissed not on grounds of such refusal to get himself medically examined but for his refusal to carry out his transfer order.

From what has been stated above, I do not think that the dismissal of S/Shri D. N. Tewari and Gurucharan Ram was unjustified.

Regarding the issue at (b) above, it is observed that Shri H. M. Landey, Lalita Singh and Udaya Singh were placed under suspension with effect from 7th July, 1967, pending decision of the court in the criminal proceedings pending against them regarding the alleged offence of snatching away a sum of rupees one thousand from the Cashier of the Colliery. It is also observed that on 10th July, 1967, retrenchment notices were served on these workers, and also on S/Shri Sita Ram Pandey, Mahendra Singh, U. C. Chatterjee and Chandrama Singh and their services were terminated with effect from 13th July, 1967. The reasons for retrenchment of all these workers were shrinkage of working faces and consequent fall in production. In their written statement the management have said that S/Shri H. M. Landey, Lalita Singh and Udaya Singh were dangerous persons and that Shri H. M. Landey was thoroughly dishonest as he had misused his position by defrauding the management of a good amount of money. It is quite apparent that the management were unwilling to retain these three persons in employment because of their alleged notorious character and activities. It is, therefore, difficult to accept the contention of the management that they were surplus to their requirement, the more so as the retrenchment notices were served soon after they had been placed under suspension. I feel that the retrenchment of these persons was considered by the management a safer and easier way of dispensing with their services. When certain criminal proceedings had been pending against these persons the management quite justifiably placed them under suspension, but they should have either awaited the Court's decision on the criminal cases against them or initiated disciplinary proceedings against them. As neither of these two courses was adopted the *bona fides* of their action in retrenching them immediately after their suspension is questionable, and therefore, I am not inclined to think that such retrenchment is justified. As regards the retrenchment of four others, no evidence has been led by the union to show that there was no appreciable fall in production as a result of shrinkage of working faces. The union also could not adduce sufficient reasons to show that these workers were active trade unionists. It is, therefore, difficult for me to accept their contention that the retrenchment of these four persons was *mala fide* and unjustified.

Regarding the issue at (c) above, it is on record that the following workers resigned their posts of their own accord and I have verified the fact of their having accepted payment in full and final settlement of all their dues on 1st

October, 1967, in the presence of Shri Lachhman Singh, Vice-President of the Koyala Mazdoor Panchayat:—

1. Shri Ganori Routh	(Sr. No. 2)
2. Shri Kapil Deo Singh	(Sr. No. 3)
3. Shri Sadagar Muchi	(Sr. No. 4)
4. Shri Suraj Singh	(Sr. No. 5)
5. Smt. Chari Mudin	(Sr. No. 7)
6. Smt. Sumri Mudin	(Sr. No. 8)
7. Smt. Sumri Dusadin	(Sr. No. 9)
8. Smt. Siddik Bibi	(Sr. No. 10)
9. Smt. Rasna Baurin	(Sr. No. 11)
10. Smt. Basni Mia	(Sr. No. 12)
11. Smt. Pabasi Baurin	(Sr. No. 13)
12. Smt. Dhanwar Muchin	(Sr. No. 14)
13. Shri Baisakhi Dusad	(Sr. No. 16)
14. Shri S. C. Hazra	(Sr. No. 17)
15. Shrimati Jaitun Bibi	(Sr. No. 20)
16. Shrimati Dasi Baurin	(Sr. No. 21)
17. Shri Sonaram Mahato	(Sr. No. 22)
18. Shri Barki Mahatin	(Sr. No. 23)
19. Shri Kamla Harin	(Sr. No. 26)

Since these persons have left their services of their own accord, their non-employment is obviously justified.

Shri N. N. Singh, Overman (Sr. No. 1) was chargesheeted for instigating some persons against the management and for "facing" certain criminal proceedings in the court. He was also suspended from 8th July, 1967 pending inquiry and decision of the Court. In the written statement the management have said that Shri N. N. Singh did not attend the enquiry and left for his native place, but no evidence has been led by them to show that any attempt was made to intimate him about the date of enquiry. The management have further observed in their written statement that his case was considered by them at the intervention of Shri Lachhman Singh, Vice-President of the Koyala Mazdoor Panchayat but Shri N. N. Singh flatly refused to accept the post of Overman which was offered to him, and so his services were terminated. I fail to understand how a person who remains under suspension and against whom disciplinary proceedings have been initiated could refuse to accept his own post. No evidence has also been led to show that he had actually done this. The non-employment of Shri Singh as a result of this termination of his services, therefore, cannot be considered as justified.

It is on record that Shri Panu Mia (Sr. No. 6) was directed on 27th July, 1967 by the management to get himself examined by the Colliery Medical Officer or the Medical Board of the Central Hospital, Jagiwan Nagar, I do not find anything wrong with the direction of the management for medical examination of Shri Panu Mia as according to them he was quite old and suffering from general weakness. Shri Panu Mia's non-employment from 27th July, 1967 as a result of his refusal to carry out the order of the management is, therefore, justified.

It appears from record that Shri Rabl Shankar Bhat (Sr. No. 15) was directed by the management on 16th June, 1967 to report to the Colliery Medical Officer for necessary medical check up and treatment as he was considered to be mentally unsound. It also appears that he did not act up to the directions of the management. As the order of the management was not irregular or wrongful,

the non-employment of Shri Bhat from 16th June 1967 caused by his own refusal to obey the order is not unjustified.

Srimati Priyabala Mazumdar (Sr. No. 18) was directed by the management on 27th July 1967 to get herself medically examined by the Colliery Medical Officer or by the Medical Board of the Central Hospital, Jagjiwan Nagar, as she was considered to be of advanced age and suffering from general weakness. It appears that she refused to carry out the directions of the management. Since there is nothing wrong in this order of the management. I am inclined to think that her non-employment from 27th July, 1967, was due to her own fault and, therefore, it is justified.

It is the contention of the management that Shri Anadi Mahato (Sr. No. 19) did not hold any post under the previous management when they had taken over this Colliery and that he was picked up by the staff of the Colliery and was employed for the purpose of firing their Chullahs. The union during the hearing produced four annual Statements of Account of the Coal Mines Provident Fund in respect of Shri Anadi Mahato. These documents merely show that the account related to the years ending 1958, 1960, 1962, and 1963, only and did not show anything regarding the colliery in which he was employed. It is not clear why his Provident Fund Account Statements for the subsequent years could not be produced and why no other evidence could be led to show that he was an employee of this Colliery. I am, therefore, inclined to accept the contention of the management that he was not an employee of the Colliery and since he was not allowed to work, his non-employment with effect from 26th June, 1967, is justified.

It has been stated by the management that during the time of the previous management Shri Budhan Lohar (Sr. No. 24) used to live at Jharia, far away from the Colliery, and often used to come late to the Colliery and that he was offered accommodation in the Colliery by them so that he could attend work punctually but still he remained adamant and the management felt helpless. It is apparent that this helplessness of the management led to their stopping him from work unless he stayed in the Colliery premises. No evidence has been led to show that he was a regular latecomer. If it were so, he should have been chargesheeted for such misconduct and appropriate action taken if the charges were proved correct. No such procedure was followed by the management. I am, therefore, inclined to feel that the non-employment of Shri Budhan Lohar is not justified.

The management have stated that Shri Tulsi Mistry (Sr. No. 25) was a casual piece-rated worker and that his services were no longer required. The union have produced six annual Statements of Account of Coal Mines Provident Fund in respect of Shri Tulsi Mistry. I find that this account only relates to the years 1950, 1951, 1952, 1958, 1962 and 1963. Neither any such Statements of Account for the subsequent years were produced nor was any evidence led by the union to show that he was a regular employee. In the circumstances I cannot but accept the contention of the management that Shri Tulsi Mistry was a casual worker. His non-employment, therefore, from 1st May, 1967 is justified, as the management did not require his services.

The management have stated that Sarvshri Lallan Singh (Sr. No. 27) and B. N. Burman (Sr. No. 28), after passing the Mining Sirdarship examination, started working in the neighbouring colliery simultaneously and that, therefore, they were asked to deposit their certificates with the management so that they might not work in any other colliery, and since they refused to comply with the directions of the management, chargesheets were issued to them but they turned a deaf ear to this and accepted the jobs of Mining Sirdars in some other colliery and so the management were not bound to pay the wages of such persons who had taken service elsewhere. No documents were produced by the management to show that these two persons were asked to deposit their certificates with the management or that they were chargesheeted for not complying with these orders. On the other hand I find from the documents produced by the union that on 7th June, 1967 both these workers (Ex. B-61 and B-64) had been called to the office on the morning of 7th June, 1967 and were offered alternative jobs of keeping watch on surface machinery and that they had refused such jobs. They were also threatened that if they refused to do alternative jobs, disciplinary action would be taken against them. No evidence has been adduced by the management to show that these workers refused to accept alternative jobs or whether actually disciplinary action was taken for such refusal. However, since the reasons given by the management in the written statement for the non-employment of these two persons were not such refusal to accept alternative employment but the refusal to deposit their Sirdarship

Certificates, I am rather inclined to feel that the management were not justified in keeping these workers unemployed since 7th June, 1967 and especially so, as no evidence could be produced to show that they were actually asked to deposit their such certificates.

In the result I decide the issues at (a), (b) and (c) above as under:—

- (a) Since the dismissal of Sarvshri D. N. Tewari and Gurucharan Ram was justified, as stated above, the question of any relief being granted to them does not arise.
- (b) (i) The retrenchment of Sarvshri H. M. Landey, Lalita Singh and Udaya Singh with effect from 13th July, 1967 is not justified. I direct that if the court in which criminal cases against these workers have been pending, finds them guilty of offences involving moral turpitude, they would stand dismissed from service with effect from 13th July, 1967. However, if the court acquits them honourably, they shall be re-instated in their respective jobs they had been doing immediately prior to their suspension, within 30 days from the date of the decision of the Court and paid full back wages from 13th July, 1967, within 15 days from the date of reinstatement. I direct further that if the decision of the Court acquitting the person honourably has already been given prior to the receipt of this Award by the management, they shall be reinstated in their posts within full back wages within 15 days of the receipt of this Award.
- (ii) The retrenchment of Sarvshri Sita Ram Pandey, Mahendra Singh, U. C. Chatterjee and Chandrama Singh with effect from 13th July, 1967 is justified. Therefore, the question of granting any relief to them does not arise.
- (c)(i) The non-employment of S/o Shri N. B. Singh, Budhan Lohar, Lallan Singh and B. N. Burman is unjustified. I direct that S/Shri Budhan Lohar, Lallan Singh and B. N. Burman be allowed to work in their previous posts within 15 days from the date of receipt of this Award alongwith back wages. I also direct that the relief awarded in the case of Sarvshri H. M. Landey, Lalita Singh and Udaya Singh at (b)(i) above shall also hold good in respect of Shri N. N. Singh, with their difference, however, that in the case of dismissal or re-instatement, as the case may be, the date of effect shall be from 8th July, 1967.
- (ii) Regarding the other workmen at Sr. Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25 and 26, their non-employment has been held to be justified. Therefore, the question of granting any relief to them does not arise.

Sd/- I. B. SANTAT,
23-3-68.

Arbitrator and Director.

Central Institute for Training in Industrial Relations, New Delhi.
New Delhi, the 23rd March 1968

[No. 2/115/67. LRII.]

BALWANT SINGH, Under Secy.

(Department of Labour & Employment)

New Delhi, the 30th March 1968

S.O. 1286.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Allahabad, in the Industrial Dispute between the employers in relation to M/s. National & Grindlays Bank Ltd., Kanpur and their workmen, which was received by the Central Government on 19th March, 1968

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL), ALLAHABAD

Dated: Camp Kanpur: March 5, 1968

PRESENT:

Sri Mithan Lal—Presiding Officer.

REFERENCE NO. 9 OF 1967

BETWEEN

M/s. National & Grindlays Bank Ltd., Mahatma Gandhi Road, Kanpur.

AND

Sri Sita Ram Tewari, one of their workmen.

APPEARANCES:

On behalf of the Employers—1. Sri A. Roy Choudhry, Labour Adviser.

2. Shri H. A. Shahmiri, Manager.

On behalf of the Workmen—Shri M. R. Sood, General Secretary, U.P. Bank Karamchari Sangh.

Shri Sita Ram Tewari, the workman concerned.

INDUSTRY: Banking.

AWARD

The Central Government in exercise of the powers conferred by Section 7A and clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), referred the following industrial dispute for adjudication to this Tribunal under Notification No. 51/41/67/LRIII, dated 18th November, 1967:

"Whether the demand of Sri Sita Ram Tewari for appointment to the post of a sub-officer on officiating basis is justified? If so, to what relief is he entitled?"

This date was fixed for filing the rejoinder by the workman. After the rejoinder was filed and issues were framed and the 19th March, 1968 was fixed for filing the documents and for further orders, the parties came to terms and filed a settlement in the afternoon. In view of the settlement it is not necessary to state anything about the pleadings of the parties nor it appears to be necessary to reproduce the issues.

It has been agreed upon between the parties, without prejudice to their contentions raised in the pleadings, that the case of Sri Sita Ram Tewari shall be considered along with other members of the clerical staff, whenever a question of officiation in the sub-officers' cadre arises in future. The settlement has been duly signed and verified before the Tribunal. The matter of dispute thus stands disposed of by that settlement.

My award is that the case of Sri Sita Ram Tewari shall be considered for future officiating chance in sub-officers' cadre along with the other members of the clerical staff, as agreed upon between the parties. The settlement shall form part of this award.

(Sd) MITHAN LAL,
Presiding Officer.
5.3.1968.

PART OF THE AWARD

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL), U.P., ALLAHABAD

CENTRAL CASE NO. 9 OF 1967

BETWEEN

The management of National & Gridlays Bank Ltd., Kanpur

AND

Their workman Sri Sita Ram Tewari, represented by U.P. Bank Karamchari Sangh.

The above dispute is settled by the parties concerned on the following terms:

- Without prejudice to the contentions raised in their written statement dated 22nd January and the submissions made before this Hon'ble Tribunal, the Bank agrees to consider Shri Sitaram Tewari along with other members of the clerical staff for officiating in the Sub-Officers' cadre as and when there is a temporary vacancy in that cadre and provided the Bank decides to fill it by an officiating appointment. The final decision will rest with the Management.

2. There will be no order as to costs nor award of any relief to the aforesaid employee of the Bank.

For U.P. Bank Karamchari Sangh,

Sd/- M. R. SOON, 5.3.68,
General Secretary.

Sd/- SITA RAM TEWARI, 5-3-1968.

Signed and verified before me

Sd/- M. R. SOON.

Sd/- S. R. TEWARI.

For and on behalf of National & Grindlays Bank Ltd.,

Sd/- A. ROY CHOWDHRY, 5.3.1968.
Sd/- H. A. SHAHMIROLI.

Sd/- ROY CHOWDHRY.

Sd/- H. A. SHAHMIROLI.

Sd/- MITHAN LAL, 5-3-1968.

Presiding Officer.

Industrial Tribunal (C).
5.3.1968.

[No. 51/41/67/LRIII.]

O. P. TALWAR, Under Secy.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 26th March 1968

S.O. 1287.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, (No. 44 of 1954), the Central Government hereby appoints Shri H. L. Dhawan, Assistant Settlement Officer in the office of the Regional Settlement Commissioner, Jaipur, as Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act.

[No. 6(2)AGZ/68.]

A. G. VASWANI,
Settlement Commissioner (A) &
Ex-officio Under Secy.

